

EXHIBIT K

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

ROGER PARKER,

Plaintiff,

v.

PERDUE FOODS, LLC,

Defendant.

CIVIL ACTION
NO. 5:22-CV-00268-TES

DECLARATION OF BRADLEY BENNETT

I, Bradley Bennett, hereby declare and state under penalty of perjury as follows:

1. I am over the age of eighteen years and am competent to testify regarding the facts detailed herein.
2. I am not a party to the above-entitled matter and provide the following testimony without remuneration for the same.

3. I was a flock advisor for Perdue Foods LLC (“Perdue”) from August 20, 2014, to November 15, 2020. In this position, I was generally responsible for meeting with the independent contractor growers (also referred to as farmers) to provide them help and suggestions as needed and to observe birds on a weekly basis.

4. During part of 2018 and 2019, I was responsible for observing the birds at Roger Parker’s Milledgeville farm, Hazel Lee. In connection with my position, I have personal knowledge of the conditions of Hazel Lee farm during the 2018 and 2019 time period.

5. During Roger Parker’s last flocks at Hazel Lee farm, I observed the birds on a weekly basis and noted the conditions in my flock reports. Attached as Exhibit A are true and accurate copies of the flock reports I created for Hazel Lee farm during the 2018-2019 time period.

6. In February 2019, I also made notes of various issues on Hazel Lee farm and emailed these notes to Kathryn Mizzell. A true and accurate copy of this email and my notes is attached as Exhibit B.

7. In March 2019, I also made notes concerning issues with heaters, fans, and holes in the chicken houses, and I sent a follow-up email on these same issues on March 27, 2019. A true and accurate copy of these notes and my email are attached as Exhibit C.

8. During the 2018-2019 time period, I noted numerous issues with the chicken houses that needed to be fixed. Over time, these issues began to grow and become more severe, resulting in animal welfare and biosecurity concerns. If left unaddressed, these issues could have resulted in injury or harm to the birds and even bird loss.

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the foregoing is true and correct according to my personal knowledge and, if called as a witness, I could and would testify truthfully thereto.

Dated 7/14/2025

Signed by:

Bradley Bennett

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EXHIBIT A (BEING FILED UNDER SEAL)

EXHIBIT B

Mizell, Kathryn

From: Bennett, Bradley
Sent: Tuesday, February 05, 2019 9:37 AM
To: Mizell, Kathryn
Subject: Notes from the visit to Hazel Lee on 2/4/19
Attachments: Hazel Lee visit notes 2-4-19.docx

Attached are the notes from yesterday's visit at Hazel Lee.

A handwritten signature consisting of the letters "Lofb" in cursive script.

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In house #1 here is the information;

Fans

Tunnel fan 1 runs

Tunnel fan 2 runs but needs a bearing because the blade wobbles in the housing

Tunnel fan 3 runs but the base is rusted out

Tunnel fan 4 runs

Tunnel fan 5 doesn't work missing fan blade and belt

Tunnel fan 6 runs

Tunnel fan 7 runs but needs new bearings because the blade wobbles in the housing, and the base is rusted out

Tunnel fan 8 runs but needs new bearings because the blade wobbles in the housing and the shutter won't close

Tunnel Fan 9 runs

Heaters

Could not check heater in this house because there was no gas in the tank for the house.

The doors need to be sealed all the way around the house. There are holes along the base of the walls where birds can get out and predators can get in at. The cool cells are falling in on the left-hand side of the house. The tunnel doors need to be tightened and the material that is covering the tunnel opening on the house where the cool cells haven't been extended to needs to be free of holes. The sidewalls toward the rear of the house has holes in them.

House #2

Fans

Tunnel fan 1 is not working correctly because the shutter will not open, fan would come on

Tunnel fan 2 runs

Tunnel fan 3 runs, base is rotted out

Tunnel fan 4 not running

Tunnel fan 5 runs

Tunnel fan 6 runs

Tunnel fan 7 runs

Tunnel fan 8 runs

Tunnel fan 9 runs

Heaters

The fifth heater from the front of the house is not working and heater #4 in the rear of the house is not working. All heaters need to be blown out and adjusted.

There are multiple lights out in the rear of the house causing a drastic difference from the front of the house and the rear of the house. Vent machine and tunnel machine are working but the tunnel doors need to be adjusted to close completely. The vents need to be gone through because there are some with broken hinges.


Perdue 001388

The tunnel doors need to be tightened and the material that is covering the tunnel opening on the house where the cool cells haven't been extended to needs to be free of holes. The doors need to be sealed all the way around the house. There are holes along the base of the walls where birds can get out and predators can get in at.

House 3

Fans

Tunnel fan 1 runs but the shutter doesn't close
Tunnel fan 2 runs but the shutter doesn't close
Tunnel fan 3 doesn't run properly because the shutter is stuck close
Tunnel fan 4 runs but the shutter doesn't close
Tunnel fan 5 doesn't run properly because the shutter is stuck close
Tunnel fan 6 doesn't work
Tunnel fan 7 runs
Tunnel fan 8 doesn't work
Tunnel fan 9 runs

Heaters

Heater 5 in the rear of the house is not working, all heaters need to be blown out and adjusted.

The tunnel cable was broken in this house. The tunnel doors need to be tightened and the material that is covering the tunnel opening on the house where the cool cells haven't been extended to needs to be free of holes. The dog house needs to be sealed up completely and the cool pads do not need to be falling out. The doors need to be sealed all the way around the house. The vents need to be gone through because there are some with broken hinges.

House 4

Fans

Tunnel fan 1 runs but doesn't close
Tunnel fan 2 runs
Tunnel fan 3 doesn't work
Tunnel fan 4 doesn't work properly because the shutter is stuck
Tunnel fan 5 doesn't work
Tunnel fan 6 doesn't work
Tunnel fan 7 runs but needs new bearings
Tunnel fan 8 runs
Tunnel fan 9 runs

Heaters



Heaters 4&5 in the rear of the house do not work properly. Heaters 1&2 have a broken cable that holds them up from the ceiling. All heaters need to be blown out and adjusted.

There is tin coming off the roof in the front of the house. There is a decent size hole in the ceiling on a seam by the control room where insulation is starting to come down at. The attic access needs to be sealed up. One of the tunnel cable were broken as well. The vents need to be gone through because there are some with broken hinges. The tunnel doors need to be tightened and the material that is covering the tunnel opening on the house where the cool cells haven't been extended to needs to be free of holes.

House 5

Fans

Tunnel fan 1 doesn't work properly because the shutter doesn't open

Tunnel fan 2 runs

Tunnel fan 3 doesn't work

Tunnel fan 4 doesn't work

Tunnel fan 5 doesn't work, base is rusted out

Tunnel fan 6 runs

Tunnel fan 7 runs

Tunnel fan 8 runs but needs new bearings

Tunnel fan 9 runs

Heaters

Heaters 4&5 are not working properly, the house is missing the second heater from the front of the house. The heater need to be blown out and adjusted as well.

The vents need to be gone through because there are some with broken hinges. The tunnel doors need to be tightened and the material that is covering the tunnel opening on the house where the cool cells haven't been extended to needs to be free of holes. The tunnel cable is broken in the front of the house. Also, there is tin off the roof midway down the house behind the feed bins.

House #6

Fans

Tunnel fan 1 not working properly because the shutter won't open

Tunnel fan 2 doesn't work and tripped the breaker

Tunnel fan 3 runs but needs new bearings

Tunnel fan 4 doesn't work properly it barely spinning the blade

Tunnel fan 5 runs but the shutter doesn't close

Tunnel fan 6 doesn't work

Tunnel fan 7 runs

Tunnel fan 8 runs

Tunnel fan 9 runs

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Heaters

Heater #4 doesn't work and the first heater in the front of the house doesn't work. All the heaters need to be blown out and adjusted.

The tunnel machine doesn't work and tunnel doors need to be tightened and the material that is covering the tunnel opening on the house where the cool cells haven't been extended to needs to be free of holes. The sidewall vents need to be adjusted so they close completely and properly. There is a water leak on the far side of the house near the cool cell it appears to be a supply line to the houses where it froze.

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EXHIBIT C

From: Bennett, Bradley
Sent: Wednesday, March 27, 2019 1:52 PM
To: Mizell, Kathryn
Subject: Hazel Lee 3-27-19

House 1 had a heater in the front that Dale need a part for where it ignites the heater.

House 2 was good there was a crack in the sidewall between boards but birds couldn't get out of.

House 3 heat works.

House 4 heater 5 in the rear of the house was not working, he said he needs a new carburetor for it. Also tunnel fan 6 tripped the breaker.

House 5 heat works

House 6 heat works

Dale said he is going to make the hole where the gas enter into the heater bigger because there were some heaters where the grate of the heater was not glowing red, it was only red at the top of the grate. I looked at items of concern from last week's visit.

Hazel Lee 3/19/19

House 1: Heater 5 in the rear of the house is not working and the heaters in the front need to be cleaned and adjusted to burn better and efficient. There are holes along the base of the walls in spots where birds can get out at. The propane inventory is 65%.

House 2: The fifth heater from the front of the house was not working. Also, the heaters need to be gone through to make sure they are burning efficiently. The propane inventory is 75%.

House 3: There were spot along the walls that need to be sealed where birds could get out at. The heaters need to be cleaned and adjusted as well. The propane inventory is 70%.

House 4: Tunnel fan #6 was not working, heater #5 was not working and the fifth heater in the front of the house was not working. Heaters need to be adjusted to burn efficiently. The propane inventory is 75%.

House 5: Tunnel fan 2 threw a belt when it was on. Heaters 4 and 5 in the rear of the house did not work and the second heater in the front wasn't working. The heaters need to be adjusted to burn efficiently. The propane inventory is 75%.

House 6: the first heater and the sixth heater in the front of the house are not working. Tunnel fan 4 kept tripping the breaker. The heaters need to be adjusted. The propane inventory is 80%.

I only looked at heaters, fans and holes where chicks could get out of the houses nothing else.